

FACTSHEET

TITLE: SPECIAL PERMIT NO. 04042, LATTIMER'S
ADDITION COMMUNITY UNIT PLAN, requested by
Associated Engineering on behalf of Hoegemeyer
Palmer Construction, on property generally located on
the east side of S. 84th Street, south of Kathy Lane.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 09/15/04 and 09/29/04
Administrative Action: 09/29/04

STAFF RECOMMENDATION: Conditional Approval,
with revisions dated September 27, 2004.

RECOMMENDATION: Conditional Approval, with
amendments (8-0: Marvin, Carroll, Sunderman,
Carlson, Taylor, Pearson, Larson and Bills-Strand
voting 'yes'; Krieser absent).

ASSOCIATED REQUESTS: Change of Zone No.
04057 (04-201).

FINDINGS OF FACT:

1. This community unit plan and the associated Change of Zone No. 04057 were heard at the same time before the Planning Commission.
2. The proposed community unit plan as originally submitted would allow the development of 13 single family lots, and includes requests to waive the preliminary plat process and the recreation plan requirement.
3. The staff recommendation of conditional approval (with the revisions submitted on September 27, 2004 as shown on p.25) is based upon the "Analysis" as set forth on p.4-6, concluding that, with conditions, the proposal is in conformance with the Comprehensive Plan and complies with the Zoning Ordinance. The conditions of approval to which the applicant objected were the requirement that the applicant change the private streets to public streets (#1.1.2); that an additional 4' of right-of-way along S. 84th Street be dedicated (#1.1.3); and that the street name "Pinehill Lane" be changed (#1.1.12).
4. In support of the staff recommendation for public streets, a conceptual site plan was submitted showing that public streets will allow 12 lots (p.26-27).
5. At the public hearing, the applicant submitted a revised site plan (p.28-29) for 12 lots. The applicant's testimony requesting amendments to the conditions of approval is found on p.10-11. The applicant's attorney, Mark Hunzeker, agreed with the staff amendment to Condition #1.1.1 to identify a street from Pinehill Lane to the north boundary. However, Mr. Hunzeker maintained that private streets should be allowed (#1.1.2). He proposed that the developer be allowed to dedicate a 4' easement along So. 84th Street (as opposed to dedicating additional right-of-way), and staff agreed to this change. He also agreed to show the sidewalks located 4' from the roadway (#1.1.3), as opposed to directly along the curbs, and he maintained that the developer should not be required to change the name of "Pinehill Lane" (#1.1.12).
6. There was no testimony in opposition.
7. On September 29, 2004, without any questions of staff regarding the applicant's proposed amendments to the conditions of approval, the Planning Commission voted 8-0 to recommend conditional approval, as set forth in the staff report, with the amendments requested by the applicant.
8. The Site Specific conditions of approval required to be completed prior to scheduling this application on the City Council agenda have been satisfied and the revised site plan is attached (p.13).
9. The staff objects to the deletion of Condition #1.1.2, which would have required public streets. A memo on this issue will be provided to the Council under separate cover. Staff also still recommends that the street name be changed to avoid confusion with similar street names that exist in other locations.

FACTSHEET PREPARED BY: Jean L. Walker

REVIEWED BY: _____

REFERENCE NUMBER: FS\CC\2004\SP.04042

DATE: October 25, 2004

DATE: October 25, 2004

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for September 15, 2004 PLANNING COMMISSION MEETING

****As Revised and Recommended for Conditional Approval by Planning Commission,
September 29, 2004****

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

P.A.S.: Change of Zone #04057
Special Permit #04042, Lattimer's Addition

PROPOSAL: 13 single-family lots in a Community Unit Plan (CUP) and a change of zone from AG-Agriculture to R-3-Residential.

LOCATION: East side of S. 84th St, south of Kathy Lane

WAIVER REQUEST:
Eliminate the preliminary plat process and recreation plan

LAND AREA: 2.48 acres, more or less

CONCLUSION: With conditions this request is in conformance with the Comprehensive Plan and complies with the Zoning Ordinance.

RECOMMENDATION:

Change of Zone

Special Permit

Approval

Conditional Approval

WAIVER

Eliminate the preliminary plat process

Approval

Recreation Plan

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 71, Irregular Tract in the NW 1/4 of Section 11, Township 9 North, Range 7 East, Lancaster County,, Nebraska

EXISTING ZONING: AG-Agriculture

EXISTING LAND USE: Undeveloped

SURROUNDING LAND USE AND ZONING:

North:	AG-Agriculture	Single-family on acreage lots
South:	AG- Agriculture	Single-family on acreage lot
South of acreage lot:	R-3- Residential	Single-family, Hi-Mark Estates
East:	AG- Agriculture	Single-family on acreage lots
West:	R-3 Residential	Undeveloped

ASSOCIATED APPLICATIONS: Change of Zone #04057

HISTORY:

Jul 1998	City Council approved Change of Zone #3125 from AG-Agricultural to R-3 Residential for HiMark Estates.
Jul 1998	City Council approved Special Permit #1423B for the HiMark Estates Community Unit Plan, which included 507 dwelling units and golf course.
March 1966	City Council approved Villa Del Ray Addition final plat for 16 acreage lots.
Apr 1992	Special Permit #1423 approved for the HiMark golf course.

COMPREHENSIVE PLAN SPECIFICATIONS:

“Maximize the community’s present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods.” (F-17)

“Affordable housing should be distributed throughout the region to be near job opportunities and to provide housing choices within every neighborhood.” (F-18)

“Encourage mixed use redevelopment, adaptive reuse and in-fill development including residential, commercial and retail uses.” (F-18)

“Interconnected networks of streets, trails and sidewalks should be designed to encourage walking and bicycling, reduce the number and length of automobile trips, conserve energy and for the convenience of the residents.” (F-18)

“The street network should facilitate calm traffic conditions, provide multiple connections within and between neighborhoods, using neighborhood development aspects such as four way intersections of residential streets, and reduced block lengths.” (F-19)

“Affordable housing should be distributed throughout the region to be near job opportunities and to provide housing choices within every neighborhood. Preserve existing affordable housing and promote the creation of new affordable housing throughout the community.” (F-65)

“Structure incentives to encourage more efficient residential and commercial development to make greater utilization of the community’s infrastructure.” (F-72)

“OTHER PRINCIPAL ARTERIALS: This functional class of street serves the major portion of intercommunity and intracommunity traffic movement within the urban area and is designed to carry high traffic volumes. For other principal arterials, the concept of service to abutting land is subordinate to serving major traffic movements. Facilities within these classification are capable of providing direct access to adjacent land but such service is to be incidental

UTILITIES: The site plan shows a proposed 6" water main and a 8" sewer main on Pinehill Lane. The proposed water and sewer would tap off of mains in S. 84th St.

TOPOGRAPHY: This area slopes gradually downhill from east to west.

TRAFFIC ANALYSIS: S. 84th St is classified as a principal arterial. The City of Lincoln Design Standards requires that intersections of local streets with major streets shall be approximately 1/4 mile apart.

PUBLIC SERVICE:

The nearest fire station is Station #12 located at S. 84th St and Van Dorn St. Maxey elementary is the nearest school located at 5200 S. 75th St.

ALTERNATIVE USES: Leave as an acreage lot until the lot to the south can be developed at the same time as the applicant's property and access can be obtained through the lot to the south.

ANALYSIS:

1. This is a request to develop 13 single-family lots under a community unit plan with waivers to the preliminary plat process and a recreation plan. Associated request is a change of zone from AG to R-3.
2. The zoning ordinance describes the general purpose of the CUP as follows; "The purpose of this chapter is to permit and to encourage the creative design of new living areas, as distinguished from subdivisions of standard lot sizes and standard street systems, and in order to permit such creative design in buildings, open space, and their interrelationship while protecting the health, safety, and general welfare of existing and future residents of surrounding neighborhoods." It appears that the sole intent of this CUP is to allow private streets and to have lot lines go to the center of the street.
3. The City of Lincoln Design Standards states: "Intersections of local streets with major streets, where permitted, shall be approximately one quarter mile(0.4km) apart, with the intersection location dependent upon maintaining the required sight distances." Pinehill Lane would be approximately 649' from the center line of Kathy Lane and 574' from the center line of Augusta Dr. Although the proposed street does not meet the spacing requirement, it would be a right-in/out only. Public Works & Utilities Department memo states that the additional street access to S. 84th St is undesirable for the capacity and safety of S. 84th St.
4. The site plan does not show a street connection to the north. Section 26.23.030 of the Land Subdivision Ordinance states; "Where there are no adjoining subdivisions in existence at the time of subdivision review, proper projection of streets from the subdivision into adjacent land shall be provided by the subdivider."
5. A street connection to the north allows for the future development of the property without another street connection to S. 84th St.

6. When the lots to the north and south of the applicant's property develop, they would not be allowed access to S. 84th St., but would access S. 84th St from Pinehill Lane through this property. Changing the private streets to public streets would relieve the adjacent property owners of the maintenance responsibilities. The connection of private to public streets also causes maintenance problems for Public Works and other city departments responsible for maintaining improvements in the public ROW.
7. Private roads generally serve their subdivision only and does not allow for connection to abutting property. It is not desirable to have a private street connected by public streets at both ends.
8. Changing the private street to a public street with 60' ROW would allow sufficient depth for the lots. Lots on the north side of the street would be 90' deep, while lots on the south side would be 110.76' deep. The deeper lots on the south side of the street is to account for the 30' LES easement and get approximate equal building envelopes with the lots on the north side. A waiver to lot area would be required on some of the lots. Planning staff would support this waiver. (See attached alternate site plan prepared by planning staff)
9. The CUP with private streets allows a density of 6.96 dwelling units per acre in an R-3 district. The site is 2.48 acres which gives a density of 17.26. However, when the area is less than 5 acres there is a 20% reduction in the density. With the reduction the density is 13 units($17.26 - 3.25 = 13.81$). With public streets, the density would change to 12 units under the current CUP provisions.
10. Revisions to LMC Chapter 27.65 (CUP) are scheduled for public hearing at Planning Commission on September 15. Part of these revisions is to eliminate the formula for calculating density with public streets, which amounted to a density bonus if private streets were used. The density for the CUP would be calculated the same for private or public streets. If the revisions to LMC Chapter 27.65 are approved by City Council, the density would be 13 units regardless if it had public or private streets.
11. The private roadway is on a public access easement within the proposed lots. While this is not uncommon, it is not desirable. Private roadways should be on separate outlots held by the homeowner's association so that there is a clearer boundary between the quasi-public roadway and private property.
12. Although the lot area table identifies lots ranging in size from 7,285 s. f. to 11,501 s. f., this is misleading. The lot lines are shown to the center of the private roadway. If you eliminate the area within the access easement, the lots range in size from 8,450 s. f. to 5,576 s. f.

13. The applicant is requesting a waiver to the recreation plan. The City of Lincoln Design Standards states, "Adequate and appropriate recreational facilities shall be provided in the common open areas to serve the needs of the development and the anticipated occupants to fulfill the needs of occupants whether they are young, elderly, handicapped, etc. Such facilities shall be readily accessible from the dwelling units in the community unit plan." There are no common open areas proposed within this development. The proposed development is for single-family homes on adequate size lots. The lot sizes are comparable to what is required under the R-3 district without a CUP. The Planning staff and Planning Commission have generally recommended approving this waiver in such cases.

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:
 - 1.1 Revise the site plan to show:
 - 1.1.1 ~~Relocate S. 85th street to the east and extend it to the north boundary. Identify a street from Pinehill Lane to the north boundary.~~ **(**As revised by staff and recommended by Planning Commission, 9/27/04**)**
 - 1.1.2 ~~Change the private streets to public streets.~~ **(**Per Planning Commission at the request of the applicant, 9/27/04**)**
 - 1.1.3 Correct the right-of-way on S. 84th St. The existing right-of-way is 56 feet. Dedicate an ~~additional~~ 4 ft. easement along S. 84th St. Show sidewalks located 4' from the roadway. **(**Per Planning Commission at the request of the applicant, 9/29/04**)**
 - 1.1.4 Show the density calculations on the site plan.
 - 1.1.5 A certificate for the City Clerk to show the approval or disapproval by City Council, including the date and resolution number.
 - 1.1.6 Show Lot 74 I. T.
 - 1.1.7 Show a conceptual street layout for Lots 72 & 74 I.T.
 - 1.1.8 Show a fire hydrant at the entrance of Pinehill Lane.
 - 1.1.9 Show utility easements as requested by LES memo of August 16, 2004.
 - 1.1.10 List all waivers on the site plan.
 - 1.1.11 Make corrections per Public Works & Utilities memo.

~~1.1.12 Change the name of Pinehill Lane. The new street name must be approved by Emergency Communications 911 Center.~~
(As Revised by Staff, 9/27/04**)**
(Per Planning Commission, at the request of the applicant, 9/29/04**)**

2. This approval permits 13 lots and waivers to the preliminary plat process and recreation plan.

The waiver of the preliminary plat process shall only be effective for a period of ten (10) years from the date of the city's approval, and shall be of no force or effect thereafter. If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.

General:

3. Before receiving building permits:
 - 3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies and the plans are acceptable.
 - 3.2 The construction plans shall comply with the approved plans.
 - 3.3 Final Plats shall be approved by the Planning Director

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
 - 4.1 Before occupying the dwelling units all development and construction shall have been completed in compliance with the approved plans.
 - 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
 - 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

- 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.

Prepared by:

Tom Cajka
Planner

APPLICANT: Bruce Palmer, President
Hoegemeyer Palmer Construction
6301 Orchard St. #2
Lincoln, NE 68505
(402) 486-0002

OWNER: same as applicant

CONTACT: Paula Dicero
Associated Engineering
1232 High St. Suite 3
Lincoln, NE 68502
(402) 441-5795

**CHANGE OF ZONE NO. 04057
and
SPECIAL PERMIT NO. 04042,
LATTIMER'S ADDITION COMMUNITY UNIT PLAN,**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

September 15, 2004

Members present: Larson, Carroll, Marvin, Carlson, Krieser, Sunderman, Taylor and Bills-Strand; Pearson absent.

Staff recommendation: Conditional Approval.

Ex Parte Communications: None

The Clerk announced that Mark Hunzeker has requested a two-week deferral on behalf of the applicant.

Taylor moved deferral for two weeks, with continued public hearing and administrative action scheduled for September 29, 2004, seconded by Marvin and carried 8-0: Larson, Carroll, Marvin, Carlson, Krieser, Sunderman, Taylor and Bills-Strand voting 'yes'; Pearson absent.

There was no testimony.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:

September 29, 2004

Members present: Marvin, Carroll, Sunderman, Carlson, Taylor, Pearson, Larson and Bills-Strand; Krieser absent.

Staff recommendation: Approval of the change of zone and conditional approval of the community unit plan.

Ex Parte Communications: The Chair reported that all of the Commissioners received a phone call from Mark Hunzeker on behalf of the applicant. Pearson was the only Commissioner who had not had a conversation with Mr. Hunzeker.

Tom Cajka of Planning staff submitted proposed amendments as part of the staff recommendation:

Change Condition #1.1.1 to read: "Identify a street from Pinehill Lane to the north boundary."

Add Condition #1.1.12 to read: "Change the name of Pinehill Lane. The new street name must be approved by Emergency Communications 911 Center."

Cajka also submitted an alternate conceptual site plan prepared by staff.

Proponents

1. Mark Hunzeker appeared on behalf of **Hoegemeyer Palmer Construction**, the applicant. The subject area is a small tract that fronts on 84th Street. This plan was prepared originally by

Paula Dicero, after meeting with staff and prepared according to what she heard from the staff in those meetings. Two weeks ago, they received the staff report with a staff recommendation to redesign this project with public streets and additional access points. They again met with staff last Friday and came away with the understanding that they had a general agreement to proceed with the proposed plan which Hunzeker handed out to the Commission today. On Monday, the applicant advised that the proposal was no longer acceptable and that the applicant is going to be required to dedicate 4' of additional right-of-way on 84th Street, to use public streets and to rename Pinehill Lane.

Hunzeker believes that there are two issues. First of all, it is unfair to require this property owner to dedicate four feet of additional right-of-way along 84th St. The city recently redesigned 84th to be a four-lane facility with wide medians for the professed purpose of widening the street in the future to the inside rather than to the outside. The city did not have enough right-of-way and it acquired new right-of-way within the last year all the way up and down 84th Street. There is 56' on the east side from centerline and the requirement is to dedicate an additional 4' because the design standards say 60' for arterial streets. If the city really needed 60', this property should have had 4' taken during the condemnation process. As it is, this will be the only property that has dedicated 60' from centerline for any purpose along that street. In addition, the applicant was told five minutes before this meeting that if the applicant does not want to dedicate this right-of-way, it will require a waiver and will require republishing.

Hunzeker indicated that he is very frustrated. Due to the additional two-week delay to re-advertise a waiver, the applicant is willing to grant an easement for that 4'. Hunzeker suggested that Condition #1.1.3 be amended to read, ".....Dedicate an easement for an additional 4 feet along S. 84th Street."

Hunzeker stated that the more important issue is the issue of public versus private streets. The applicant has shown private streets in this plat because this is a fairly narrow parcel with 104' deep lots on the north side of the street and 104'-105' deep lots on the south. The building envelopes are narrow. There is an LES easement along the south side that takes up the rear 30' of each of the lots. By requiring this development to dedicate an additional 10' of right-of-way, this development will lose an additional 10' on South 85th Street, which means that each of those six lots on the north side loses a little under 2' of width. They will lose 5' on each side along either side of Pinehill Lane, which shortens up the building envelopes on each side by 5'. The same occurs on S. 85th, narrowing down each of the four lots on the east side of 85th by over 1' and on the west side by 2.5' each. This causes some real design problems. Hunzeker then showed photographs of the type of homes that the developer intends to build.

Hunzeker also advised that public streets will cause additional difficulties, even if they would go back through this process and waste two weeks to get front yard waivers on all of the public streets in order to push those buildings out. The placement of sidewalks within a public street will result in pushing the garages back, reducing the interior space of these homes. This project redevelops an acreage, which is supposed to be encouraged. Hunzeker requested that Condition #1.1.2 be deleted.

As far a renaming Pinehill Lane, Hunzeker pointed out that we already have Pine Lake Court, Pine Tree Lane, Pine Dale Avenue and Pine Wood Lane, so he does not understand why Pinehill Lane causes confusion. If this condition is imposed, the street will simply be named "Up Hill Road".

Hunzeker clarified that they will agree to put the sidewalks four feet from the private streets.

There was no testimony in opposition.

There were no staff questions.

CHANGE OF ZONE NO. 04057

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

September 29, 2004

Taylor moved approval, seconded by Carlson and carried 8-0: Marvin, Carroll, Sunderman, Carlson, Taylor, Pearson, Larson and Bills-Strand voting 'yes'; Krieser absent. This is a recommendation to the City Council.

SPECIAL PERMIT NO. 04042

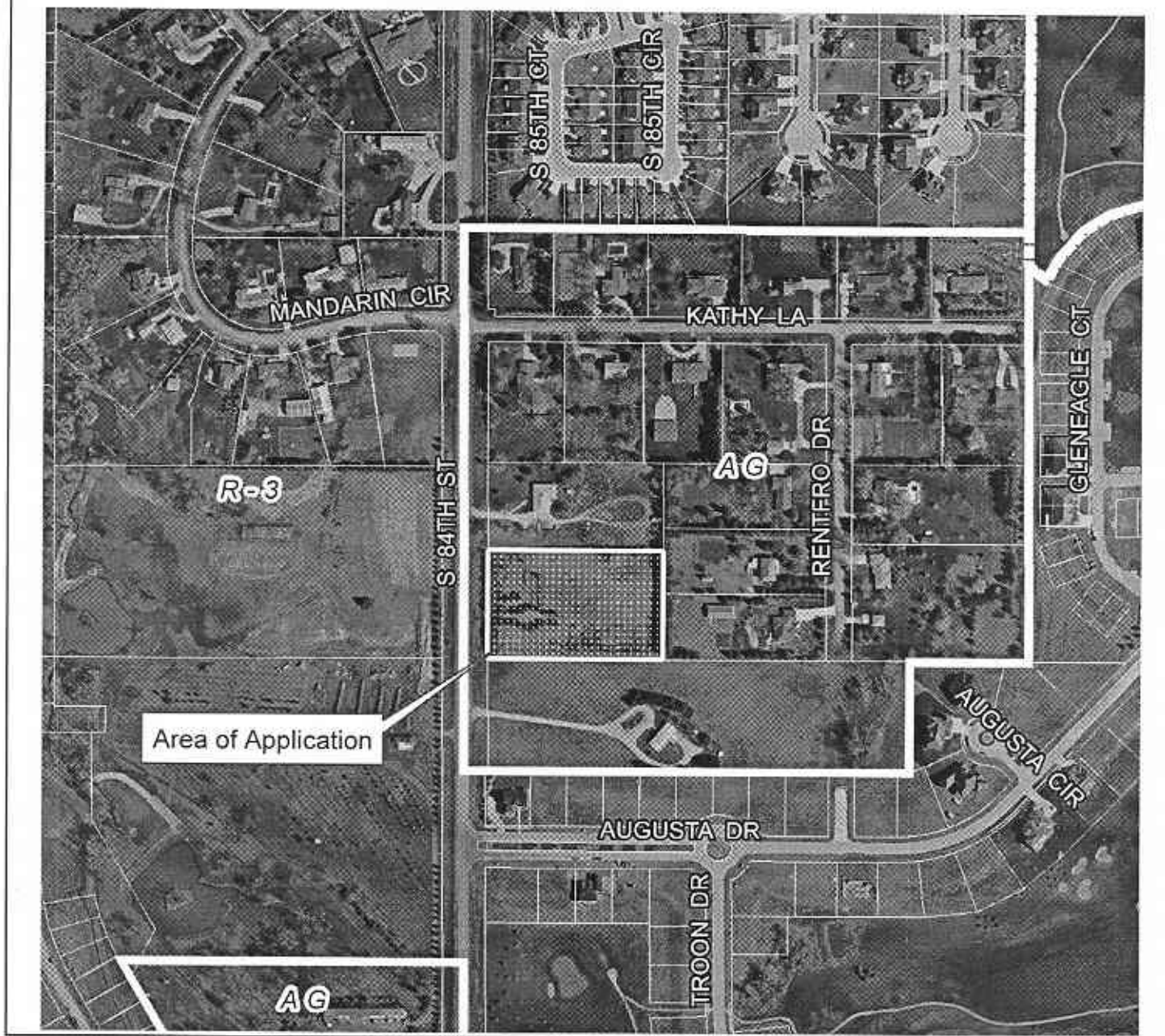
ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

September 29, 2004

Taylor moved to approve the staff recommendation of conditional approval, with the amendments requested by Mark Hunzeker, including an amendment to show the sidewalks four feet from the roadway, seconded by Larson. This amends the conditions as follows:

- 1.1.1 ~~Relocate S. 85th street to the east and extend it to the north boundary. Identify a street from Pinehill Lane to the north boundary.~~
- 1.1.2 ~~Change the private streets to public streets.~~
- 1.1.3 Correct the right-of-way on S. 84th St. The existing right-of-way is 56 feet. Dedicate an ~~additional~~ 4 ft. easement along S. 84th St. Show sidewalks located 4' from the roadway.
- 1.1.12 ~~Change the name of Pinehill Lane. The new street name must be approved by Emergency Communications 911 Center.~~

Motion for conditional approval, with amendments, carried 8-0: Marvin, Carroll, Sunderman, Carlson, Taylor, Pearson, Larson and Bills-Strand voting 'yes'; Krieser absent. This is a recommendation to the City Council.



Special Permit #04042 S. 84th & Kathy Lane

2002 aerial

Zoning:

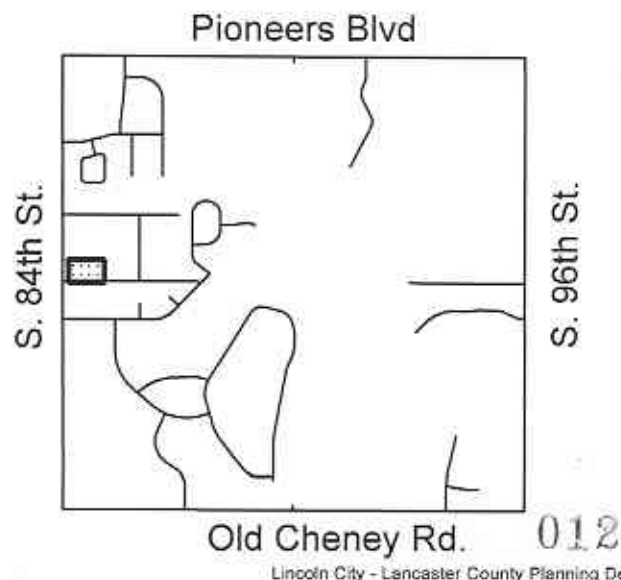
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 11 T9N R7E



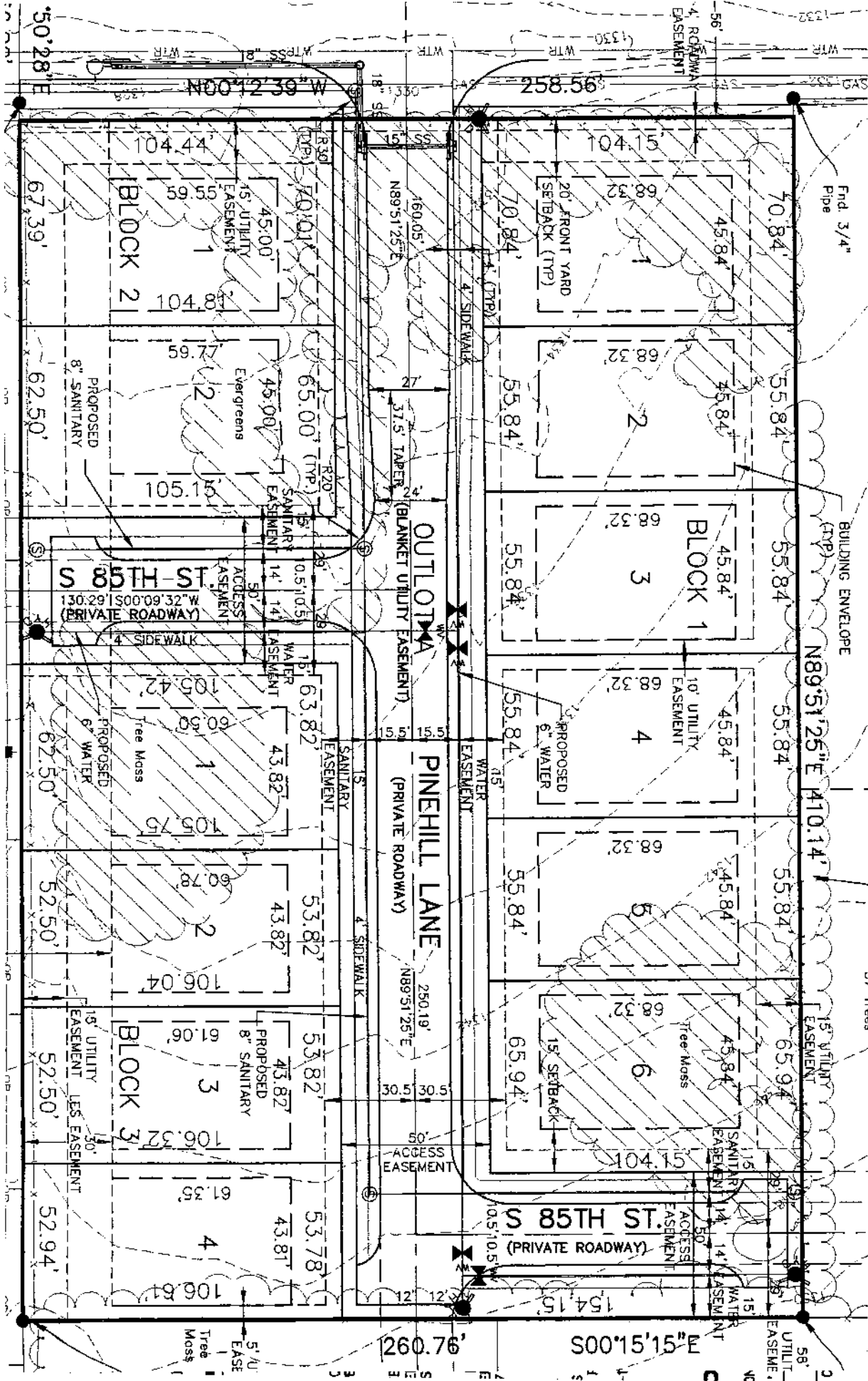
Zoning Jurisdiction Lines

City Limit Jurisdiction



Lincoln City - Lancaster County Planning De

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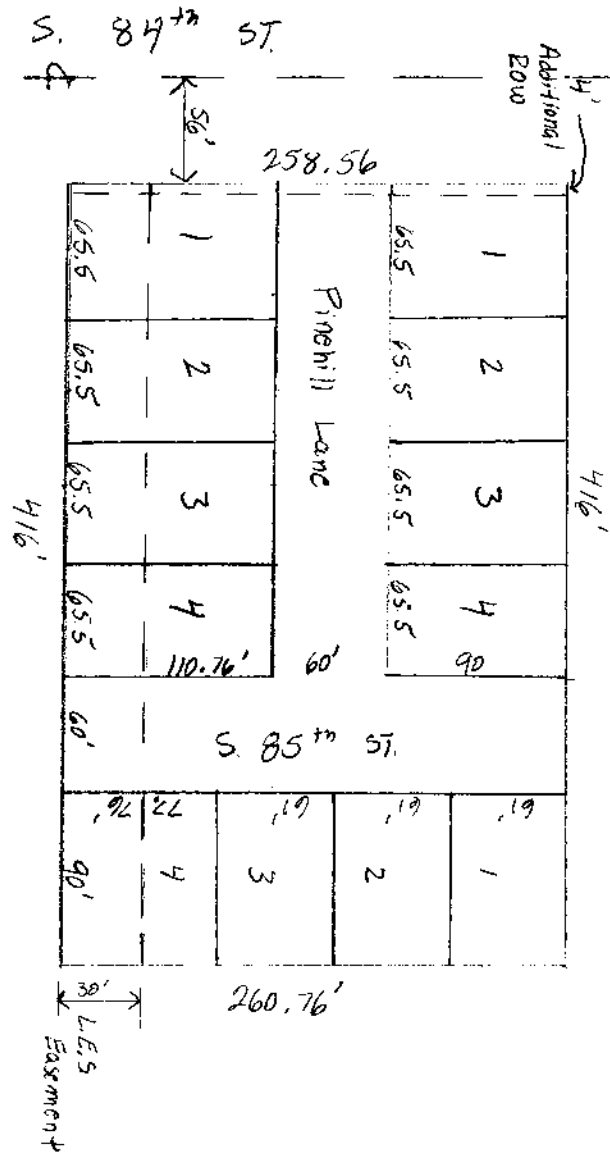


Revised Plan

SITE PLAN SUBMITTED 10-6-04

013

ALTERNATE SITE PLAN





September 2, 2004

**Associated Engineering
And Surveying**

1235 High Street – Suite 3
Lincoln, Nebraska, 68502

Tom Cajka
Lincoln-Lancaster County Planning Department
555 South 10th Street – Suite 213
Lincoln, Nebraska, 68508

RE: **Lattimer's Addition CUP & Special Permit**
AE&S Job # 15737

Dear Tom:

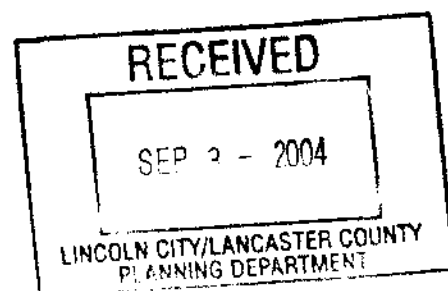
Pursuant to Section 26.15.030(d) of the LMC, we request a waiver to the preliminary plat process with the special permit for a community unit plan to take its place.

We request a waiver to Title 3.35-1.4 Recreational Facilities.

Sincerely,

A handwritten signature in black ink, appearing to read "Paula Dicero".

Paula Dicero
Associated Engineering



015



July 29, 2004

Associated Engineering And Surveying

1235 High Street – Suite 3
Lincoln, Nebraska, 68502

Brian Will
Lincoln-Lancaster County Planning Department
555 South 10th Street – Suite 213
Lincoln, Nebraska, 68508

RE: **Lattimer's Addition CUP & Special Permit**
AE&S Job # 15866

Dear Mr. Will:

On behalf of Hoegemeyer Palmer Construction, we are submitting an application for Lattimer's Addition CUP & Special Permit. Total area of this plat is 2.45 acres. It contains 13 single-family lots. The property is zoned R-3.

This plat reflects the proposed build out of South 84th Street. There is a ten foot bike path proposed along the East Side of South 84th Street. Because of the Center Island in this build out, a right in/ right out intersection is proposed for the intersection of Pinehill Lane.

Private roadways, public utilities, and sidewalks are inside of a 60-foot access and utility easement, which centers on Pinehill Lane. This easement consist of the southern thirty feet of lots 1 through 7, Block 1 and the northern thirty feet of lots 1 & 2, Block 2, and 1 through 4, Block 3. The 60-foot access and utility easement which centers on South 85th Street consist of the eastern thirty feet of Lot 2, Block 2 and the western thirty feet of Lot 1, Block 3.

Ornamental street lighting is private and will adhere to LES and City of Lincoln standards for Streetlights.

OWNER / DEVELOPER:

Hoegemeyer Palmer Construction
Bruce Palmer
1210 South 47th Street 1232
Lincoln, Nebraska 68506
(402) 486-0002

AUTHORIZED AGENT:

Associated Engineering & Surveying
Tom Medhi / Paula Dicero
High Street – Suite 3
Lincoln, NE 68502
(402) 441-5790

016

04042

The following owners hold interest and /or property adjacent to Sterling Hills Addition:

Harold T. & Rebecca J. Cast
4831 Mandarin Circle
Lincoln, NE 68516

Hampton Enterprises
1660 S. 70th Street – Suite 203
Lincoln, NE 68506

Robert H. & Marjorie E. Birkett
5000 S. 84th Street
Lincoln, NE 68516

Samuel D. & Judith A. Shutts
5001 Rentfro Drive
Lincoln, NE 68526

Daniel J. & Jeanette M. Krog
4601 Rentfro Drive
Lincoln, NE 68526

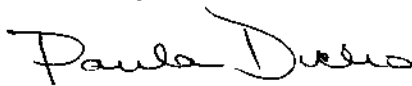
Donna Brubaker
4546 Rentfro Drive
Lincoln, NE 68526

Paul H. & Nancy M. & Grace H. Morris
4800 S. 84th Street
Lincoln, NE 68526

Enclosed are the following documents as submittal for the above referenced CUP / Special Permit:

- 24 copies - Cover Sheet / Site Plan
- 8 copies - Grading & Drainage Plan
- 1 site plan reduced to 8 1/2" X 11" Sheet
- 2 copies - Soils Report
- 3 copies - Drainage Report
- 1 CUP / Special Permit Application
- 1 CUP / Special Permit Submittal Requirements Checklist
- 1 Check in the amount of \$575.00 (CUP Special Permit Application Fee)
- 1 Certificate of Ownership Certificate

Sincerely,

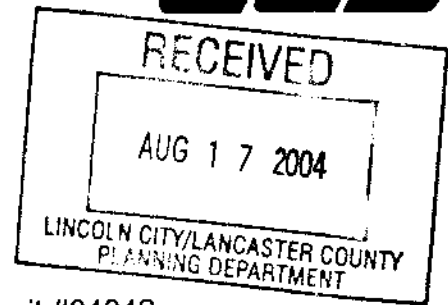


Paula S. Dicero
Branch Manager

INTER-DEPARTMENT COMMUNICATION

-LES-

DATE: August 16, 2004
TO: Tom Cajka, City Planning
FROM: Sharon Theobald
Ext 7640
SUBJECT: DEDICATED EASEMENTS - C.U.P. Special Permit #04042
DN# 48S-84E



Attached is the Site Plan for Lattimer's Addition.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map.

It should be noted, any relocation of existing facilities will be at the owner/developer's expense.

Please add, as a stipulation, the following:

Any construction or grade changes in LES transmission line easement corridors are subject to LES approval and must be in accordance with LES design and safety standards.

Landscaping material selections within easement corridors shall follow established guidelines to maintain minimum clearance from utility facilities.

Sharon Theobald

ST/ss
Attachment
c: Terry Wiebke
Easement File

City of Lincoln, Nebraska

IMPORTANT

All revisions to plans must include Building Permit # and Job Address.

Return this report with two sets of corrected plans. The corrections noted below are required to be made to the plans prior to issuance of a permit. Please indicate under each item where the correction is made by plan sheet number or plan detail number.

A separate set of plans for review and final approval must be submitted by the licensed installing contractor/s if fire suppression systems, sprinklers, dry powder, fire alarm systems or underground tanks are installed.

Plan Review Comments

Permit # **DRF04114**

Address

Job Description: Development Review - Fire

Location: CAITIMER'S ADD

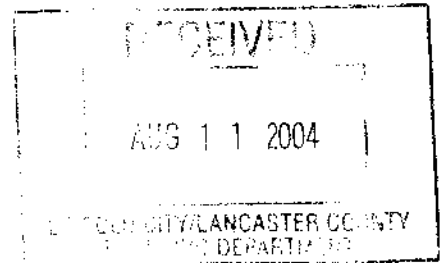
Special Permit: Y 04042

Preliminary Plat:

Use Permit:

CUP/PUD:

Requested By **TOM CAJKA**



Status of Review: Denied

08/10/2004 6:35:01 PM

Reviewer: FIRE PREVENTION/LIFE SAFETY CODE

BOB FIEDLER

Comments: need a fire hydrant at the entrance of pinehill lane

Current Codes in Use Relating to Construction Development in the City of Lincoln:

- 2000 International Building Code and Local Amendments
- 2000 International Residential Code and Local Amendments
- 1994 Nebraska Accessibility Guidelines (Patterned after and similar to ADA guidelines)
- 1989 Fair Housing Act As Amended Effective March 12, 1989
- 1979 Zoning Ordinance of the City of Lincoln as Amended including 1994 Parking Lot Lighting Standards
- 1992 Lincoln Plumbing Code (The Lincoln Plumbing Code contains basically the 1990 National Standard Plumbing Code and local community Amendments.)
- 1999 National Electrical Code and Local Amendments
- 1997 Uniform Mechanical Code and Local Amendments
- 1994 Lincoln Gas Code
- 2000 NFPA 101 Life Safety Code
- 2000 Local Amendments International Firecode
- Applicable NFPA National Fire Code Standards

Richard J Furasek
08/17/2004 11:20 AM

To: Thomas J Cajka/Notes@Notes
cc:
Subject: Lattimer's Addition

Upon review of Special Permit # 04042, I have found the proposed fire hydrant on the eastern edge of Pinehill Lane and the southern edge of South 85th street. I can not see if there is a fire hydrant on or near 84th and Pine Hill lane. It would be advantageous for us to have one there. Thanks.

Richard J. Furasek
Assistant Chief Operations
Lincoln Fire & Rescue
1801 Q Street
Lincoln Ne. 68508
Office 402-441-8354
Fax 402-441-8292

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Tom Cajka

DATE: August 19, 2004

DEPARTMENT: Planning

FROM: Chris Schroeder

ATTENTION:

DEPARTMENT: Health

CARBONS TO: EH File

SUBJECT: Lattimer's Addition

EH Administration

SP #04042

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed development with the following noted:

- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.
- The proposed development is located within the Firethorn Wellhead Protection Area. Best management practices (BMP) should be utilized to decrease the risk of groundwater contamination. For example, being conscientious regarding the use of lawn chemicals/fertilizers and ensuring the proper the storage of chemicals and/or fuels.



Dennis L Roth

08/10/2004 10:09 PM

To: Thomas J Cajka/Notes@Notes
cc:
Subject: re: Lattrimers Add

PROJ NAME: Lattimers Add
PROJ NMBR: SP #04042
PROJ DATE: 08/05/2004
PLANNER: Tom Cajka

Finding ONE DUPLICATE/SIMILAR names in our geobase for the street name proposed in this project, other than those which are an extension of an existing street.

PROPOSED
Pinehill Ln

EXISTING
Pine Lake Rd

After some discussion with other staff members it was decided that 1) The names were to similar, 2) block ranges would be exactly the same and 3) both were located within one and one-half miles of each other. We therefore, MOST STRONGLY RECOMMEND ALTERNATE name be selected.

Dennis "denny" Roth, ESD II/CAD Admin
Emergency Communications 9-1-1 Center

STREETS: Pinehill Ln and S 85th St

PRIVATE: S 84th St

COMMENTS:

Memorandum

To:	Tom Cajka, Planning Department
From:	Chad Blahak, Public Works and Utilities Dennis Bartels, Public Works and Utilities
Subject:	Lattimers Addition Special Permit #04042
Date:	9/02/04
cc:	Randy Hoskins

Engineering Services has reviewed the special permit for Lattimers Addition, located east of South 84th Street between Kathy Lane and Augusta Drive, and has the following comments:

Sanitary Sewer - The following comments need to be addressed.

(1.1) Information needs to be provided as to how this development will connect to the sanitary sewer system.

Water Mains - The water system is satisfactory.

Grading/Drainage - The following comments need to be addressed.

(3.1) Additional information is required. Pre and post development calculations need to be provided. If detention is intended to be waived a waiver needs to be requested with justification to the satisfaction of Public Works.

(3.2) The grading plan needs to show the proposed 84th Street paving project grading. The grading for this plat needs to match the grading for the proposed 84th Street project.

(3.3) The street grades and contours indicate drainage from offsite. An assumption of drainage areas from offsite is needed to review the proposal.

Streets - The following comments need to be addressed.

(4.1) Public Works recommends that this plat consist of public streets instead of the proposed private roadways. There are undeveloped tracts of land on the north and south sides of this plat and acreage lots to the east. When the land on the north and south develop they will be required to connect to this plat for access to 84th Street. Approving this plat with private streets would require the properties to the north and south to create private streets as well as entering an agreement with this development's owners association for shared maintenance. Also, it appears that public streets would not adversely affect this development and it would also take the burden of maintenance costs off of the home owners.

(4.2) A street access should be provided for Lot 72 to the north of this plat from Pinehill Lane.

(4.3) If the streets are to remain private, the sidewalk needs to be shown as 5' wide if it is to

remain adjacent to the back of curb.

(4.6) No island is necessary at the intersection of 84th and Pinehill since there is a continuous median in 84th. The island should be removed from the plans.

(4.7) The street grade of Pinehill Road needs to be projected to east past the property line as required by the subdivision ordinance.

General - The additional street access to 84th Street is undesirable for the capacity and safety of 84th Street. It is recognized that not allowing a temporary or permanent access to 84th prevents development without adjacent lots platting or as a minimum allowing construction of a street across their property. It is preferable from the aspect of 84th Street that access for this plat be taken through one of the local streets in the vicinity in conjunction with the future development of.

The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the sizing and general method providing service is satisfactory. Design considerations including, but not limited to, location of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connection storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.

MEMORANDUM

TO: Planning Commission
FROM: Tom Cajka, Planning
SUBJECT: Lattimer's Addition--Special Permit #04042
DATE: September 27, 2004

Amendment to Conditions of staff report:

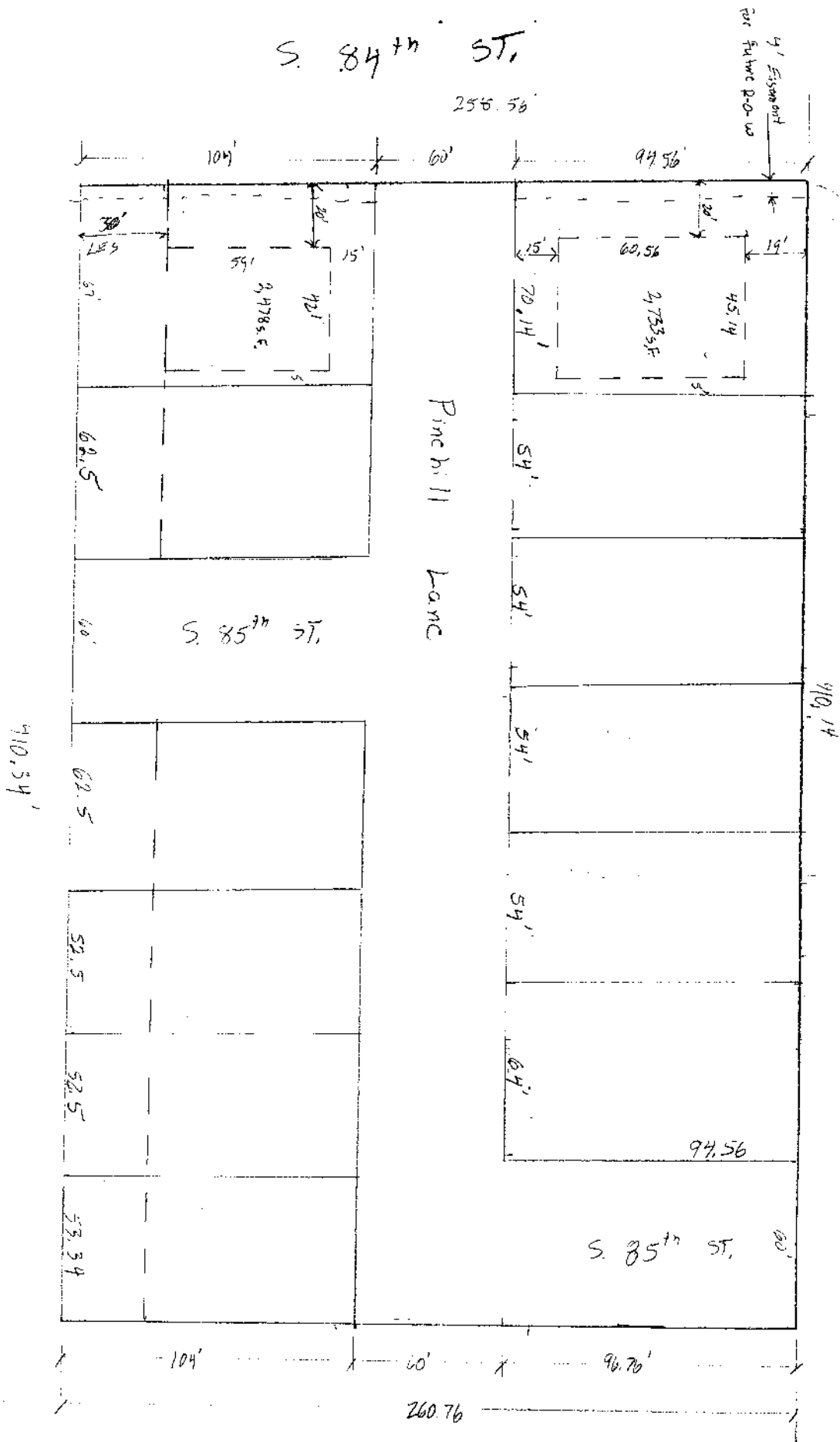
1. Change 1.1.1 to read, "Identify a street from Pinehill Lane to the north boundary."
2. Add condition 1.1.12 to read, "Change the name of Pinehill Lane. The new street name must be approved by Emergency Communications 911 Center."

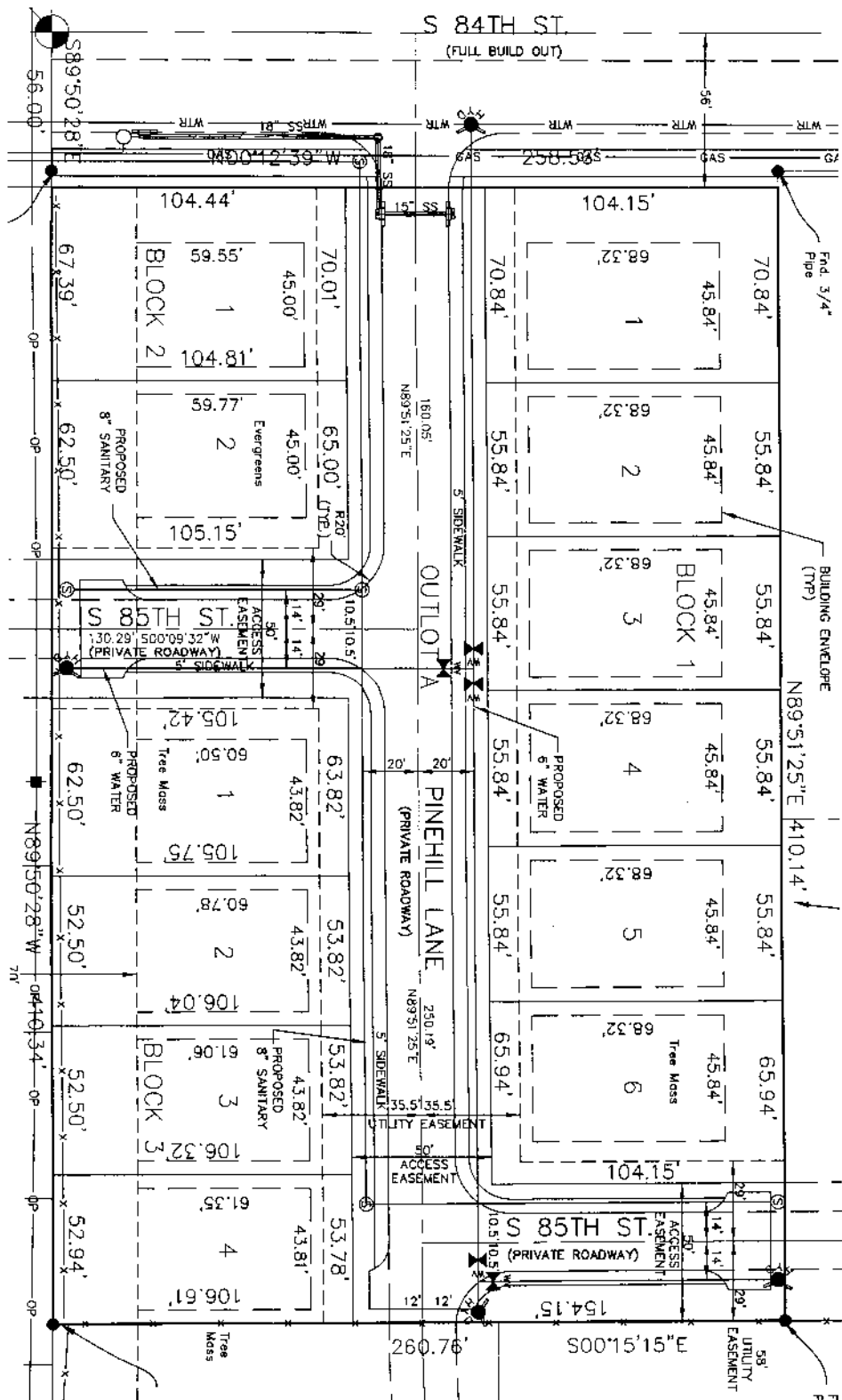
MEMORANDUM

TO: Planning Commission
FROM: Tom Cajka, Planning
SUBJECT: Lattimer's Addition--Special Permit #04042
DATE: September 27, 2004

The attached conceptual site plan is being provided to show that there can be 12 lots with public streets. The lots range in size from 5,106 s. f. to 6,968 s. f. with building envelopes ranging from 2,478 s. f. to 2,733 s. f.

ALTERNATE SITE PLAN





SPECIAL PERMIT #04042

C.U.P. / SPECIAL PERMIT
LATTIMER'S ADD.



**ASSOCIATED ENGINEERS
AND SURVEYING**
1232 High Street, Suite 3
Lincoln, NE 68502
Phone: 402.441.5790
Fax: 402.441.5791

These drawings are the sole property of
 the Contractor and shall remain the
 property of the Contractor. The Contractor
 shall not use these drawings for any other
 purpose without the written consent of the
 Engineer. The Contractor shall not
 reproduce these drawings in whole or in
 part without the written consent of the
 Engineer. The Contractor shall not
 lend, copy, or otherwise dispose of these
 drawings to any third party without the
 written consent of the Engineer.

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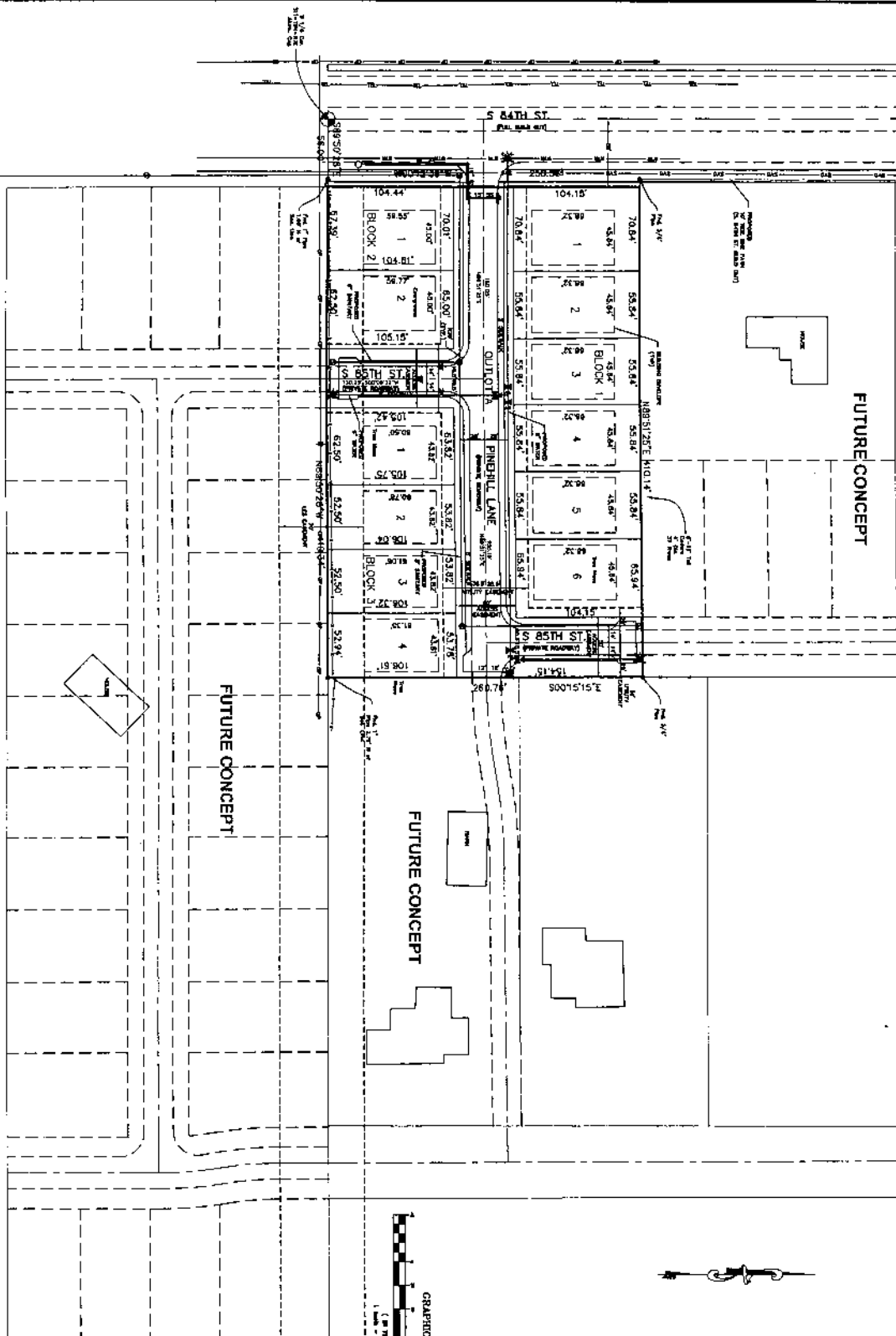
C.U.P. / SPECIAL PERMIT
LATTIMER'S ADD.

LINCOLN, NEBRASKA

PROJ. NO. 15066
DATE: 7-14-2004
DESIGN BY: PSLD
DRAWN BY: JAV
CHECKED BY: PSLD

NO.	DATE	REVISION
1	02/28/04	PLANNING COMMENTS

SHEET NUMBER
2 OF 3



FUTURE CONCEPT

FUTURE CONCEPT

FUTURE CONCEPT

GRAPHIC SCALE



LOT AREA TABLE		
BLOCK	LOT	SF
1	1	7,378
	2	5,616
	3	5,846
	4	5,505
	5	5,818
	6	6,071
	7	7,319
	8	6,874
3	1	6,725
	2	5,606
	3	5,715
	4	5,725
COLLIER A		36,987

LEGEND

- 1- MACHINED PISTON RING
 2- MACHINED PISTON RING
 3- REDUCED PORTING
 4- SET CORONA
 5- SET LAM
 6- SET LAM
 7- OVERHEATED PISTON RING
 8- OVERHEATED PISTON RING
 9- TITANIUM RING
 10- TITANIUM RING
 11- TITANIUM RING
 12- OVERHEATED PISTON RING
 13- OVERHEATED PISTON RING
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